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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,443	08/05/2003	Neil G. Sellars	98-40145-US-D1	8289
7590 11/08/2004 Louis M. Heidelberger Reed Smith LLP 2500 One Liberty Place 1650 Market Street Philadelphia, PA 19103-7301			EXAMINER CHAN. SING P	
			ART UNIT 1734	PAPER NUMBER
DATE MAILED: 11/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/634,443

Applicant(s)

SELLARS, NEIL G.

Examiner

Sing P Chan

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-51 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 9-51 is/are rejected.
- 7) ☒ Claim(s) 14, 15, 17, 26, 27, 34, 40, 43, 45, 46, and 51 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claim 14 is objected to because of the following informalities: The phrase "wherein" is missing from the claim. The examiner suggests inserting "wherein" after "claim 9." Appropriate correction is required.
2. Claims 15, 17, 26, 27, 34, 40, 43, 45, 46, and 51 are objected to because of the following informalities: The claims have minor grammatical error. The examiner suggests changing "for facilitating re-attachable at least partial separation of said device" to "for facilitating at least partial separation and re-attaching of said device." Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 13 recites the limitation "said label portion" in line 1. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 14 recites the limitation "the first portions" and "the second portion" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 15-23, 25-42, and 47-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Atkins (GB 2,299,568).

Regarding claims 15, 16, and 26, Atkins discloses a method of forming a label assembly. The method includes providing a planar member with oppositely first and second surfaces, a length greater than the periphery of the object to be label, providing a pair of notches, i.e. recess, which form a tab, applying pressure sensitive adhesive on the label assembly, and affixing the label assembly about the periphery of the object.

(Page 6, line 26 to Page 7, line 5)

Regarding claim 33, Atkins discloses a method of forming a label assembly. The method includes providing a planar member with oppositely first and second surfaces, a length greater than the periphery of the object to be label, a portion for evidencing potential tempering, printing indicia on one of the surfaces, applying pressure sensitive adhesive on the label assembly, and affixing the label assembly about the periphery of the object. (Page 6, line 26 to Page 7, line 5)

Regarding claims 17, 27, and 34, Atkins discloses applying a peelable adhesive, which is a releasable adhesive, onto the label assembly. (Page 7, lines 6-11)

Regarding claims 18, 28, and 35, Atkins discloses applying a release coating to the top surface of the first end of the label, which is considered to be protective material. (Page 6, lines 34-35)

Regarding claims 19, 20, 29, and 36, Atkins discloses applying a de-sensitive material to "killed" a strip of adhesive on the underside. (Page 4, lines 24-28 and Page 6, line 35 to Page 7, line 1)

Regarding claims 21, 22, 30, 31, 37, and 38, Atkins discloses forming tear lines by a perforator for forming a tearable strip to facilitate separation of a part of the label assembly. (Page 7, lines 2-3)

Regarding claims 23, 25, and 32, Atkins discloses the tear lines, which facilitate removal of a strip and provides tamper evidence. (Page 5, lines 22-26)

Regarding claim 39, Atkins discloses a method of forming a label assembly. The method includes providing a planar member with oppositely first and second surfaces, a length greater than the periphery of the object to be label with first and second edges portions forming an oblique angle, providing a pair of notches, i.e. recess, which form a tab, applying pressure sensitive adhesive on the label assembly, and affixing the label assembly about the periphery of the object. (Page 6, line 26 to Page 7, line 5)

Regarding claim 40, Atkins discloses applying a peelable adhesive, which is a releasable adhesive, onto the label assembly. (Page 7, lines 6-11)

Atkins discloses applying a release coating to the top surface of the first end of the label, which is considered to be protective material. (Page 6, lines 34-35)

Regarding claim 41, Atkins discloses applying a de-sensitive material to "killed" a strip of adhesive on the underside. (Page 4, lines 24-28 and Page 6, line 35 to Page 7, line 1)

Regarding claims 48 and 49, Atkins discloses forming tear lines by a perforator for forming a tearable strip to facilitate separation of a part of the label assembly. (Page 7, lines 2-3)

Regarding claims 47 and 50, Atkins discloses the tear lines, which facilitate removal of a strip and provides tamper evidence. (Page 5, lines 22-26)

9. Claims 39-42, 48 and 49 rejected under 35 U.S.C. 102(b) as being anticipated by Holden-Banks (GB 2,311,273).

Regarding claim 39, Holden-Banks discloses a method of forming a wrap around label. The label includes two portions (Figures 2, 5, 11, and 12) with a combined length that is greater than the circumference of the container with a first and second edges in opposite position with different length and a portion of the label with the edge at an oblique angle, coating the adhesive to the contact surface of the label to the container, wherein the adhesive is considered to be pressure sensitive adhesive, printing ink onto the underside adhesive face, and printing the opposite face of the label without the adhesive coating. (Page 4, lines 1-15 and Page 12, lines 1-27 and Figures 10-12)

Regarding claim 41, Holden-Banks discloses printing a coating over the printed matter to form a thin film of release agent, which is considered to be a protective material. (Page 12, lines 21-23)

40, and 42, Holden-Banks discloses applying a coating of release material such as Emiflex to the adhesive to deadening an adhesive region to form a releasable adhesive to allow delamination of the label material and prevent permanent bonding. (Page 6, lines 17-32 and Page 8, lines 6-15)

Regarding claims 48 and 49, Holden-Banks discloses the label includes semi-cuts or perforations to allow separation of the part of the label from the other part of the label. (Page 4, lines 3-11)

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Atkins (GB 2,299,568) as applied to claim 15 above, and further in view of Kaufmann (U.S. 5,264,265).

Atkins as disclosed above is silent as to the label includes a protruding tab and a corresponding recessed edge to facilitating detaching and reattaching the label.

However, providing a protruding tab and a recessed edge on a label, which can be reattached is well known and conventional as shown for example by Kaufmann.

Kaufmann discloses a method of forming a peel-back re-sealable multiply label. The

label includes a tab and a recess edge on the bottom label to allow reattaching the label. (Col 2, lines 40-52 and Figure 1)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a tab and a corresponding recessed edge on any label as disclosed by Kaufmann in the method of Atkins to provide a consumer friendly "peel tab" mechanism for easy detaching and reattaching the label. (Col 1, lines 49-51)

12. Claims 9-11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atkins (GB 2,299,568) in view of Walter et al (U.S. 5,591,290) and Holden-Banks (GB 2,311,273).

Regarding claims 9 and 10, Atkins discloses a method of forming a label assembly. The method includes providing a self adhesive carrier label member with oppositely first and second surfaces, with a release backing, printing indicia onto the label, preparing select surface by applying a de-sensitize material onto a strip of adhesive on the underside. (Page 4, lines 21-24 and Page 6, line 26 to Page 7, line 5) Atkins is silent as removing a release paper from the pressure sensitive adhesive material, printing on the de-sensitized surface, and reapplying the release paper to the pressure sensitive adhesive material. However, removing the release paper to prepare the surface of the adhesive label and reapplying the release paper is well known and conventional as shown for example by Walter et al. Walter et al discloses a method of applying de-sensitizing material onto the adhesive surface of a label. The method includes providing a label assembly with release paper covering the pressure sensitive adhesive, delaminating the release paper to expose the adhesive surface printing the

de-sensitizing material onto the adhesive material, and relaminating the release paper onto the adhesive material. (Col 4, lines 15-22 and Col 5, line 58 to Col 6, line 4)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to remove the release paper to prepare, i.e. to apply de-sensitizing material, the surface of the adhesive label and reapplying the release paper as disclosed by Walter et al in the method of Atkins to modifying existing adhesive bonding strength of previously manufactured pressure sensitive label stock to allow easy separation from the support surface. (Col 2, lines 34-39) Atkins as modified by Walter et al is silent as to printing on the adhesive surface. However, printing on the adhesive surface is well known and conventional as shown for example by Holden-Banks. Holden-Banks discloses a method of forming a wrap around label. The label includes two portions (Figures 2, 5, 11, and 12) with a combined length that is greater than the circumference of the container and the width of the label, coating the adhesive to the contact surface of the label to the container, wherein the adhesive is considered to be pressure sensitive adhesive, printing ink onto the underside adhesive face, and printing the opposite face of the label without the adhesive coating. (Page 4, lines 1-15 and Page 12, lines 1-27)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to printing on the adhesive surface as disclosed by Holden-Banks in the method of Atkins as modified by Walter et al to allow printed material contained on the label to be hidden from view until the product is purchased. (Page 13, lines 9-11)

Regarding claim 11, Atkins discloses applying a release coating to the top surface of the first end of the label, which is considered to be protective material. (Page 6, lines 34-35)

Regarding claim 13, Atkins discloses the tear lines, which facilitate removal of a strip and provides tamper evidence. (Page 5, lines 22-26)

Regarding claim 14, Atkins discloses a label with first and second edges of different lengths and the edge portions forming an oblique angle with remaining label portion. (Figures 1, 3, 5-7)

13. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Atkins (GB 2,299,568) in view of Walter et al (U.S. 5,591,290) and Holden-Banks (GB 2,311,273) as applied to claim 9 above, and further in view of Kaufmann (U.S. 5,264,265).

Atkins as modified above is silent as to the label includes a protruding tab and a corresponding recessed edge to facilitating detaching and reattaching the label. However, providing a protruding tab and a recessed edge on a label, which can be reattached is well known and conventional as shown for example by Kaufmann. Kaufmann discloses a method of forming a peel-back re-sealable multiply label. The label includes a tab and a recess edge on the bottom label to allow reattaching the label. (Col 2, lines 40-52 and Figure 1)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a tab and a corresponding recessed edge on any label as disclosed by Kaufmann in the method of Atkins as modified by the combination of

references to provide a consumer friendly "peel tab" mechanism for easy detaching and reattaching the label. (Col 1, lines 49-51)

14. Claims 15-22, 24, 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holden-Banks (GB 2,311,273) in view of Kaufmann (U.S. 5,264,265).

Regarding claims 15, 16, 24, and 26, Holden-Banks discloses a method of forming a wrap around label. The label includes two portions (Figures 2, 5, 11, and 12) with a combined length that is greater than the circumference of the container and the width of the label, coating the adhesive to the contact surface of the label to the container, wherein the adhesive is considered to be pressure sensitive adhesive, printing ink onto the underside adhesive face, and printing the opposite face of the label without the adhesive coating. (Page 4, lines 1-15 and Page 12, lines 1-27) Holden-Banks is silent as to the label includes a protruding tab and a recessed edge to facilitating detaching and reattaching the label. However, providing a protruding tab and a recessed edge on a multilayer label is well known and conventional as shown for example by Kaufmann. Kaufmann discloses a method of forming a peel-back re-sealable multiply label. The label includes a tab and a recess edge on the bottom label to allow reattaching the label. (Col 2, lines 40-52 and Figure 1)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a tab and a recessed edge as disclosed by Kaufmann in the method of Holden-Banks to provide a simple and easy means for detaching and reattaching the label.

Regarding claims 17, 19, 27, and 29, Holden-Banks discloses applying a coating of release material such as Emiflex to the adhesive to deadening an adhesive region to form a releasable adhesive to allow delamination of the label material and prevent permanent bonding. (Page 6, lines 17-32 and Page 8, lines 6-15)

Regarding claims 18 and 28, Holden-Banks discloses printing a coating over the printed matter to form a thin film of release agent, which is considered to be a protective material. (Page 12, lines 21-23)

Regarding claim 20, Holden-Banks discloses applying the release coating to the adhesive to a strip of adhesive to deaden the adhesive to form a liftable tab, (Page 5, line 28 to Page 6, line 2) but is silent as to completely deaden the adhesive at the tab. However, Kaufmann discloses the lift tab has no tacky adhesive on the underside (Col 2, lines 48-50) and one in the art reading Holden-Banks and Kaufmann would appreciate wherein there is adhesive on the underside of the lift tab to logically completely deaden the adhesive to allow easy lifting of the tab into a grabble position.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to logically completely deaden the adhesive on the underside of the liftable tab in the method of Holden-Banks to allow easy lifting of the tab into a grabble position.

Regarding claims 21, 22, 30, and 31, Holden-Banks discloses the label includes semi-cuts or perforations to allow separation of the part of the label from the other part of the label. (Page 4, lines 3-11)

15. Claims 23, 25, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holden-Banks (GB 2,311,273) in view of Kaufmann (U.S. 5,264,265) as applied to claims 15 and 26 above, and further in view of Atkins (GB 2,299,568).

Holden-Banks as disclosed above does not disclose the label includes means for evidencing potential tampering. However, providing label with means for evidencing potential tampering is well known and conventional as shown for example by Atkins. Atkins discloses forming tear lines by a perforator for forming a tearable strip to facilitate separation of a part of the label assembly. (Page 7, lines 2-3)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a means for tamper-evident portion and label portion as disclosed by Atkins in the method of Holden-Banks as modified by Kaufmann to allow the label to show tampering easily and allow the consumer to easily avoid any contaminated products.

16. Claims 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holden-Banks (GB 2,311,273) as applied to claims 1 and 39 above, and further in view of Kaufmann (U.S. 5,264,265).

Regarding claims 43, 45, and 46, Holden-Banks as disclosed above is silent as to the label includes a tab and a recessed edge to facilitating detaching and reattaching the label. However, providing a tab and a recessed edge on a multilayer label is well known and conventional as shown for example by Kaufmann. Kaufmann discloses a method of forming a peel-back re-sealable multiply label. The label includes a tab and a

recess edge on the bottom label to allow reattaching the label. (Col 2, lines 40-52 and Figure 1)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a tab and a recessed edge as disclosed by Kaufmann in the method of Holden-Banks to provide a simple and easy means for detaching and reattaching the label.

Regarding claim 44, Holden-Banks discloses applying the release coating to the adhesive to a strip of adhesive to deaden the adhesive to form a liftable tab, (Page 5, line 28 to Page 6, line 2) but is silent as to completely deaden the adhesive at the tab. However, Kaufmann discloses the lift tab has no tacky adhesive on the underside (Col 2, lines 48-50) and one in the art reading Holden-Banks and Kaufmann would appreciate wherein there is adhesive on the underside of the lift tab to logically completely deaden the adhesive to allow easy lifting of the tab into a grabble position.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to logically completely deaden the adhesive on the underside of the liftable tab in the method of Holden-Banks to allow easy lifting of the tab into a grabble position.

17. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holden-Banks (GB 2,311,273) as applied to claims 1 and 49 above, and further in view of Atkins (GB 2,299,568).

Holden-Banks as disclosed above does not disclose the label includes means for evidencing potential tampering. However, providing label with means for evidencing

potential tampering is well known and conventional as shown for example by Atkins. Atkins discloses a wrap around label with tamper-evident feature. The label includes perforation, which divides the sheet into tamper-evident portion and label portion.
(Page 5, lines 22-26)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a means for tamper-evident portion and label portion as disclosed by Atkins in the method of Holden-Banks to provide tamper evidence security.
(Page 3, lines 3-5)

18. Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holden-Banks (GB 2,311,273) in view of Kaufmann (U.S. 5,264,265) as applied to claim 46 above, and further in view of Atkins (GB 2,299,568).

Holden-Banks as modified above does not disclose the label includes means for evidencing potential tampering. However, providing label with means for evidencing potential tampering is well known and conventional as shown for example by Atkins. Atkins discloses a wrap around label with tamper-evident feature. The label includes perforation, which divides the sheet into tamper-evident portion and label portion.
(Page 5, lines 22-26)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a means for tamper-evident portion and label portion as disclosed by Atkins in the method of Holden-Banks to provide tamper evidence security.
(Page 3, lines 3-5)

19. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Holden-Banks (GB 2,311,273) in view of Atkins (GB 2,299,568) as applied to claim 50 above, and further in view of Kaufmann (U.S. 5,264,265).

Holden-Banks as modified above is silent as to the label includes a recessed edge to facilitating detaching and reattaching the label. However, providing a recessed edge on a multilayer label is well known and conventional as shown for example by Kaufmann. Kaufmann discloses a method of forming a peel-back re-sealable multiply label. The label includes a recess edge on the bottom label to allow easy lifting and grasping for detaching and reattaching the label. (Col 2, lines 40-52 and Figure 1)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a tab and a recessed edge as disclosed by Kaufmann in the method of Holden-Banks as modified by Atkins to provide a simple and easy means for detaching and reattaching the label.

20. Claims 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atkins (GB 2,299,568) as applied to claims 1 and 39 above, and further in view of Kaufmann (U.S. 5,264,265).

Regarding claims 43, 45, and 46, Atkins as disclosed above is silent as to the label includes a tab and a recessed edge to facilitating detaching and reattaching the label. However, providing a tab and a recessed edge on a multilayer label is well known and conventional as shown for example by Kaufmann. Kaufmann discloses a method of forming a peel-back re-sealable multiply label. The label includes a tab and a recess

edge on the bottom label to allow reattaching the label. (Col 2, lines 40-52 and Figure 1)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a tab and a recessed edge as disclosed by Kaufmann in the method of Atkins to provide a simple and easy means for detaching and reattaching the label.

Regarding claim 44, Atkins is silent as to completely deaden the adhesive at the tab. However, Kaufmann discloses the lift tab has no tacky adhesive on the underside (Col 2, lines 48-50) and one in the art reading Atkins and Kaufmann would appreciate wherein there is adhesive on the underside of the lift tab to logically completely deaden the adhesive to allow easy lifting of the tab into a grabble position.

It would have been obvious to one skilled in the art at the time the invention was made to logically completely deaden the adhesive on the underside of the liftable tab in the method of Atkins as modified by Kaufmann to allow easy lifting of the tab into a grabble position.

Regarding claim 50, Atkins as disclosed above is silent as to the label includes a recessed edge to facilitating detaching and reattaching the label. However, providing a recessed edge on a multilayer label is well known and conventional as shown for example by Kaufmann. Kaufmann discloses a method of forming a peel-back re-sealable multiply label. The label includes a recess edge on the bottom label to allow easy lifting and grasping for detaching and reattaching the label. (Col 2, lines 40-52 and Figure 1)

It would have been obvious to one skilled in the art at the time the invention was made to provide a tab and a recessed edge as disclosed by Kaufmann in the method of Holden-Banks to provide a simple and easy means for detaching and reattaching the label.

Response to Arguments

21. Applicant's arguments, see Page 19, line 14 to Page 20, line 15, filed September 16, 2004, with respect to the rejection(s) of claim(s) 9-11 and 14 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Atkins (GB 2,299,568) and Walter et al (U.S. 5,591,290).

22. Applicant's arguments filed September 16, 2004 regarding claims 15-22, 24, and 26-31 have been fully considered but they are not persuasive. Regarding applicant's arguments of Holden-Banks does not discuss providing a tab portion or a recess edge and Kaufmann does not disclose an extended wrap label with length greater than the periphery of the object. The examiner relies on Kaufmann to provide the teaching of providing a tab portion and a recess portion on a label to allow easy peeling or lifting of the portion of the label on the upper layer on any type of labels, including extended wrap label. The motivation for combining the references is to provide a tab and a recess portion to any label, which allows a user to grasp to the label portion for easy removal and reattachment. The combination of the Holden-Banks and Kaufmann recited the instant invention.

23. Applicant's arguments, see Page 23, lines 7-21, filed September 16, 2004, with respect to the rejection(s) of claim(s) 33-38 under 35 U.S. C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of Atkins (GB 2,299,568).

24. Applicant's arguments, see Page 15, line 9 to Page 16, line 2, filed September 16, 2004, with respect to claims 39-51 have been fully considered and are not persuasive. Holden-Banks is considered to provide a label with a first edge portion that is at an oblique angle to the second edge portion.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P Chan whose telephone number is 571-272-1225. The examiner can normally be reached on Monday-Friday 7:30AM-11:00AM and 12:00PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1734

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

spc



CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER

Art 1734